

REMARKS

In the official action dated July 14, 2004, claims 1-6 were rejected as obvious over Modak (U.S. Pat. No. 6,537,913) in view of Liu (U.S. Pat. No. 6,211,085). In view of the following remarks, the rejections are respectfully traversed and reconsideration of this application is respectfully requested

As an initial matter, claim 1 has been amended to refer to a dual damascene pattern to overcome the objection to claim 1 noted on page 2 of the official action.

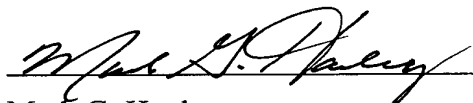
Turning to the art rejections, the applicant respectfully submits that it would not have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Liu with those of Modak in the manner suggested in the official action. More specifically, although Liu generally teaches the use of copper as a material that can be used to form a metal layer on semiconductor devices, Modak teaches away from the use of copper in the manner recited in independent claim 1. In particular, Modak teaches that copper should not be used because it may oxidize (see col. 1, lines 15-20). As a result, one of ordinary skill in the art would not have been motivated to combine the teachings of Liu with those of Modak as suggested in the official action. The applicants further submit that the present invention relates to a method for forming a contact in a pre-metal dielectric (PMD) layer to connect a metal line to a silicon substrate. In contrast, Modak discloses a method for forming a copper-containing metal line on the PMD layer after a contact is already formed. Accordingly, the applicant respectfully submits that independent claim 1 and claims 2-6 dependent thereon are allowable over the art of record.

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Response Dated November 11, 2004
Response to the Office action of July 14, 2004

For at least the forgoing reasons, it is respectfully submitted that claims 1-6 are in condition for allowance. If, for any reason, the examiner is unable to allow the application in the next official action, the examiner is encouraged to telephone the undersigned attorney at the telephone number listed below.

Respectfully submitted,
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